

He has been awarded the Meritorious Service Medal, the Army Commendation Medal, and the Legion of Merit. His example is one all Americans and Arkansans can admire, and I treasure our work together here in the 115th Congress representing our State of Arkansas.

NOAA BETRAYED THE AMERICAN PEOPLE

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, a whistleblower has charged that the National Oceanic and Atmospheric Administration falsified data in a study that attempted to disprove the widely accepted 15-year halt in global warming. This was done in an effort to garner public support for the Obama administration's Clean Power Plan and the United Nations' Paris climate agreement.

NOAA's officials suppressed internal debate about the study and actively obstructed the House Science Committee's investigations of concerns about the data. However, one brave scientist decided to step forward and blow the whistle on NOAA.

According to Dr. John Bates, NOAA put its thumb on the scale to justify their predetermined conclusions and support the President's agenda, even if that meant violating their own scientific integrity rules.

The Science Committee will continue to investigate this scandal. Americans have a right to unbiased science.

We can thank Dr. Bates for his heroic act and for having the courage to step forward in the face of the liberal media's smear campaigns.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 3, 2017.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on February 3, 2017, at 1:52 p.m.:

That the Senate passed S. 305.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 4:45 p.m. today.

Accordingly (at 2 o'clock and 6 minutes p.m.), the House stood in recess.

□ 1645

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. ROGERS of Kentucky) at 4 o'clock and 45 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

CRAGS, COLORADO LAND EXCHANGE ACT OF 2017

Mr. LAMBORN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 618) to authorize, direct, expedite, and facilitate a land exchange in El Paso and Teller Counties, Colorado, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 618

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Craggs, Colorado Land Exchange Act of 2017".

SEC. 2. PURPOSES.

The purposes of this Act are—

(1) to authorize, direct, expedite, and facilitate the land exchange set forth herein; and

(2) to promote enhanced public outdoor recreational and natural resource conservation opportunities in the Pike National Forest near Pikes Peak, Colorado, via acquisition of the non-Federal land and trail easement.

SEC. 3. DEFINITIONS.

In this Act:

(1) BHI.—The term "BHI" means Broadmoor Hotel, Inc., a Colorado corporation.

(2) FEDERAL LAND.—The term "Federal land" means all right, title, and interest of the United States in and to approximately 83 acres of land within the Pike National Forest, El Paso County, Colorado, together with a non-exclusive perpetual access easement to BHI to and from such land on Forest Service Road 371, as generally depicted on the map entitled "Proposed Craggs Land Exchange—Federal Parcel—Emerald Valley Ranch", dated March 2015.

(3) NON-FEDERAL LAND.—The term "non-Federal land" means the land and trail easement to be conveyed to the Secretary by BHI in the exchange and is—

(A) approximately 320 acres of land within the Pike National Forest, Teller County, Colorado, as generally depicted on the map entitled "Proposed Craggs Land Exchange—Non-Federal Parcel—Craggs Property", dated March 2015; and

(B) a permanent trail easement for the Barr Trail in El Paso County, Colorado, as generally depicted on the map entitled "Proposed Craggs Land Exchange—Barr Trail Easement to United States", dated March 2015,

and which shall be considered as a voluntary donation to the United States by BHI for all purposes of law.

(4) SECRETARY.—The term "Secretary" means the Secretary of Agriculture, unless otherwise specified.

SEC. 4. LAND EXCHANGE.

(a) IN GENERAL.—If BHI offers to convey to the Secretary all right, title, and interest of BHI in and to the non-Federal land, the Secretary shall accept the offer and simultaneously convey to BHI the Federal land.

(b) LAND TITLE.—Title to the non-Federal land conveyed and donated to the Secretary under this Act shall be acceptable to the Secretary and shall conform to the title approval standards of the Attorney General of the United States applicable to land acquisitions by the Federal Government.

(c) PERPETUAL ACCESS EASEMENT TO BHI.—The nonexclusive perpetual access easement to be granted to BHI as shown on the map referred to in section 3(2) shall allow—

(1) BHI to fully maintain, at BHI's expense, and use Forest Service Road 371 from its junction with Forest Service Road 368 in accordance with historic use and maintenance patterns by BHI; and

(2) full and continued public and administrative access and use of FSR 371 in accordance with the existing Forest Service travel management plan, or as such plan may be revised by the Secretary.

(d) ROUTE AND CONDITION OF ROAD.—BHI and the Secretary may mutually agree to improve, relocate, reconstruct, or otherwise alter the route and condition of all or portions of such road as the Secretary, in close consultation with BHI, may determine advisable.

(e) EXCHANGE COSTS.—BHI shall pay for all land survey, appraisal, and other costs to the Secretary as may be necessary to process and consummate the exchange directed by this Act, including reimbursement to the Secretary, if the Secretary so requests, for staff time spent in such processing and consummation.

SEC. 5. EQUAL VALUE EXCHANGE AND APPRAISALS.

(a) APPRAISALS.—The values of the lands to be exchanged under this Act shall be determined by the Secretary through appraisals performed in accordance with—

(1) the Uniform Appraisal Standards for Federal Land Acquisitions;

(2) the Uniform Standards of Professional Appraisal Practice;

(3) appraisal instructions issued by the Secretary; and

(4) shall be performed by an appraiser mutually agreed to by the Secretary and BHI.

(b) EQUAL VALUE EXCHANGE.—The values of the Federal and non-Federal land parcels exchanged shall be equal, or if they are not equal, shall be equalized as follows:

(1) SURPLUS OF FEDERAL LAND VALUE.—If the final appraised value of the Federal land exceeds the final appraised value of the non-Federal land parcel identified in section 3(3)(A), BHI shall make a cash equalization payment to the United States as necessary to achieve equal value, including, if necessary, an amount in excess of that authorized pursuant to section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)).

(2) USE OF FUNDS.—Any cash equalization moneys received by the Secretary under paragraph (1) shall be—

(A) deposited in the fund established under Public Law 90-171 (commonly known as the "Sisk Act"; 16 U.S.C. 484a); and

(B) made available to the Secretary for the acquisition of land or interests in land in Region 2 of the Forest Service.

(3) SURPLUS OF NON-FEDERAL LAND VALUE.—If the final appraised value of the non-Federal land parcel identified in section 3(3)(A)

exceeds the final appraised value of the Federal land, the United States shall not make a cash equalization payment to BHI, and surplus value of the non-Federal land shall be considered a donation by BHI to the United States for all purposes of law.

(c) APPRAISAL EXCLUSIONS.—

(1) SPECIAL USE PERMIT.—The appraised value of the Federal land parcel shall not reflect any increase or diminution in value due to the special use permit existing on the date of the enactment of this Act to BHI on the parcel and improvements thereunder.

(2) BARR TRAIL EASEMENT.—The Barr Trail easement donation identified in section 3(3)(B) shall not be appraised for purposes of this Act.

SEC. 6. MISCELLANEOUS PROVISIONS.

(a) WITHDRAWAL PROVISIONS.—

(1) WITHDRAWAL.—Lands acquired by the Secretary under this Act shall, without further action by the Secretary, be permanently withdrawn from all forms of appropriation and disposal under the public land laws (including the mining and mineral leasing laws) and the Geothermal Steam Act of 1930 (30 U.S.C. 1001 et seq.).

(2) WITHDRAWAL REVOCATION.—Any public land order that withdraws the Federal land from appropriation or disposal under a public land law shall be revoked to the extent necessary to permit disposal of the Federal land parcel to BHI.

(3) WITHDRAWAL OF FEDERAL LAND.—All Federal land authorized to be exchanged under this Act, if not already withdrawn or segregated from appropriation or disposal under the public lands laws upon enactment of this Act, is hereby so withdrawn, subject to valid existing rights, until the date of conveyance of the Federal land to BHI.

(b) POSTEXCHANGE LAND MANAGEMENT.—Land acquired by the Secretary under this Act shall become part of the Pike-San Isabel National Forest and be managed in accordance with the laws, rules, and regulations applicable to the National Forest System.

(c) EXCHANGE TIMETABLE.—It is the intent of Congress that the land exchange directed by this Act be consummated no later than 1 year after the date of the enactment of this Act.

(d) MAPS, ESTIMATES, AND DESCRIPTIONS.—

(1) MINOR ERRORS.—The Secretary and BHI may by mutual agreement make minor boundary adjustments to the Federal and non-Federal lands involved in the exchange, and may correct any minor errors in any map, acreage estimate, or description of any land to be exchanged.

(2) CONFLICT.—If there is a conflict between a map, an acreage estimate, or a description of land under this Act, the map shall control unless the Secretary and BHI mutually agree otherwise.

(3) AVAILABILITY.—Upon enactment of this Act, the Secretary shall file and make available for public inspection in the headquarters of the Pike-San Isabel National Forest a copy of all maps referred to in this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Colorado (Mr. LAMBORN) and the gentleman from Colorado (Mr. POLIS) each will control 20 minutes.

The Chair recognizes the gentleman from Colorado (Mr. LAMBORN).

GENERAL LEAVE

Mr. LAMBORN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. LAMBORN. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of H.R. 618, the Craggs, Colorado Land Exchange Act of 2017 that I introduced along with Congressman TIPTON and Congressman POLIS. This legislation will facilitate a mutually beneficial land exchange between the U.S. Forest Service and the Emerald Valley Ranch in El Paso and Teller Counties in Colorado.

Specifically, this legislation would convey to the United States the 320-acre Craggs property located on the west side of Pikes Peak that is currently owned by The Broadmoor Hotel, and a perpetual public-access easement for the lower portion of the popular Barr Trail. In exchange, an 83-acre Federal parcel located at Emerald Valley Ranch on the southeast side of Pikes Peak and a perpetual access easement along two Forest Service roads would be granted to The Broadmoor. This would eliminate the management and liability issues currently facing the United States because of the significant upgrades and improvements The Broadmoor has made to the Emerald Valley Ranch parcel.

This land exchange is intended to provide increased recreational opportunities for the public on the Pike National Forest. The 320-acre Craggs property is completely surrounded by the Pike National Forest and has been the top acquisition priority for the Pikes Peak Ranger District for several years. The property provides several opportunities to connect Forest Service trails emanating from the Craggs campground with trails in the Putney Gulch area. In addition, existing trails within the property could become key links in the proposed Ring the Peak trail.

I thank Chairman BISHOP and Chairman MCCLINTOCK and the entire staff of the Subcommittee on Federal Lands for all of their work and bringing this bill to the floor.

I urge the adoption of the measure, and I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume. I thank the Speaker for the recognition and Mr. LAMBORN for bringing forward this bill.

H.R. 618 is legislation I am proud to cosponsor because it is a commonsense land exchange in my home State of Colorado. It authorizes the Forest Service to exchange the Emerald Valley Ranch for the larger ecologically sensitive Craggs parcel. The world-famous Broadmoor Hotel—that I visited many times and attended many education conferences at—currently has a 25-year special use permit to operate the guest ranch on the Emerald Valley parcel. This parcel has lost its National Forest character, and conveying it out of Pike National Forest will simplify management at that site and replace it with a parcel that is more appropriate.

In exchange, the Forest Service will receive the 320-acre Craggs parcel and a permanent trail easement for the historic Barr Trail. The Craggs property connects with several Forest Service trails in the Pikes Peak Ranger District and has been identified by the Forest Service as a priority for acquisition. I am glad that, under this bill, we can accomplish that priority.

The exchange eliminates a large private inholding in the National Forest and removes the need for Federal land management of the Emerald Valley Ranch. It is a win-win scenario. Essentially, this legislation simplifies land management around Pikes Peak, while protecting public lands and growing our economy.

The Forest Service testified in support of H.R. 618. I support its adoption, as do stakeholders across the spectrum.

It has been a pleasure to work with my colleagues, Mr. LAMBORN and Mr. TIPTON, on this bill, and I appreciate their hard work and constructive work for this legislation.

I reserve the balance of my time.

Mr. LAMBORN. Mr. Speaker, I echo what my colleague has just said about those of us from Colorado working together. Of the six bills that we are going to be discussing today, four of them are from Colorado; and yourself, myself, and Representative TIPTON from southwest Colorado have collaborated on these four bills. It is bipartisan and we have worked hard and have gotten some good legislation to offer to the House for consideration. I look forward to doing this through the rest of the afternoon, plus two other bills as well.

Mr. Speaker, I have no additional speakers, and I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume.

I, as well, am prepared to close and I just want to highlight my agreement with the gentleman from Colorado (Mr. LAMBORN). When people work together, these are the kind of commonsense results we get. Unfortunately, on these bills, I don't think we will be making the front page of The Washington Post or The New York Times or the FOX News Talk hour, but that is so much of the workhorse-type work that we need to do in this body.

What we have done with Mr. TIPTON, Mr. LAMBORN, and myself is we have been able to put together the commonsense priorities around public land management. The district I have the honor of representing is 65 percent public land. So these are everyday issues that my constituents deal with living in and around public land.

It is very exciting to be passing H.R. 618 and allowing getting rid of the private inholding, putting some appropriate land in the management of the Forest Service and, of course, doing something that will also benefit one of our iconic conference centers and hotels in Colorado Springs that I have

had the opportunity to be a guest and a conferee at so many times.

I deeply appreciate the work of Mr. TIPTON and Mr. LAMBORN. I urge a "yes" vote.

Mr. Speaker, I yield back the balance of my time.

Mr. LAMBORN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado (Mr. LAMBORN) that the House suspend the rules and pass the bill, H.R. 618.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

ELKHORN RANCH AND WHITE RIVER NATIONAL FOREST CONVEYANCE ACT OF 2017

Mr. LAMBORN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 698) to require a land conveyance involving the Elkhorn Ranch and the White River National Forest in the State of Colorado, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 698

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Elkhorn Ranch and White River National Forest Conveyance Act of 2017".

SEC. 2. LAND CONVEYANCE, ELKHORN RANCH AND WHITE RIVER NATIONAL FOREST, COLORADO.

(a) LAND CONVEYANCE REQUIRED.—Consistent with the purpose of the Act of March 3, 1909 (43 U.S.C. 772), all right, title, and interest of the United States (subject to subsection (b)) in and to a parcel of land consisting of approximately 148 acres as generally depicted on the map entitled "Elkhorn Ranch Land Parcel-White River National Forest" and dated March 2015 shall be conveyed by patent to the Gordman-Leverich Partnership, a Colorado Limited Liability Partnership (in this section referred to as "GLP").

(b) EXISTING RIGHTS.—The conveyance under subsection (a)—

(1) is subject to the valid existing rights of the lessee of Federal oil and gas lease COC-75070 and any other valid existing rights; and

(2) shall reserve to the United States the right to collect rent and royalty payments on the lease referred to in paragraph (1) for the duration of the lease.

(c) EXISTING BOUNDARIES.—The conveyance under subsection (a) does not modify the exterior boundary of the White River National Forest or the boundaries of Sections 18 and 19 of Township 7 South, Range 93 West, Sixth Principal Meridian, Colorado, as such boundaries are in effect on the date of the enactment of this Act.

(d) TIME FOR CONVEYANCE; PAYMENT OF COSTS.—The conveyance directed under subsection (a) shall be completed not later than 180 days after the date of the enactment of this Act. The conveyance shall be without consideration, except that all costs incurred by the Secretary of the Interior relating to

any survey, platting, legal description, or other activities carried out to prepare and issue the patent shall be paid by GLP to the Secretary prior to the land conveyance.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Colorado (Mr. LAMBORN) and the gentleman from Colorado (Mr. POLIS) each will control 20 minutes.

The Chair recognizes the gentleman from Colorado (Mr. LAMBORN).

GENERAL LEAVE

Mr. LAMBORN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. LAMBORN. Mr. Speaker, I yield myself such time as I may consume.

H.R. 698, the Elkhorn Ranch and White River National Forest Conveyance Act sponsored by my colleague, Congressman SCOTT TIPTON of the great State of Colorado, and cosponsored by Congressman POLIS and myself, resolves a longstanding surveying issue in the White River National Forest in western Colorado.

In the early 20th century, the U.S. Government issued a series of patents conveying Federal land to private landowners in the region. However, a land survey conducted in 1949 brought these conveyances into question, and the ownership of the land has been in dispute for nearly 70 years. In 2014 the White River National Forest conducted a survey to finalize the land ownership and concluded that 148 acres were improperly within the forest's boundary.

This legislation simply conveys this land back to its rightful ownership. This land conveyance is consistent with the existing forest management plan, and the Forest Service is managing this land as though it were already private property.

This bill has the support of a wide range of stakeholders in the community and I thank the Congressman from Colorado for his work on this legislation. I would point out, as we discussed earlier, there is bipartisan support from within the Colorado delegation for this bill as well.

I urge adoption of the measure and I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume.

Living in and around public land, as Mr. TIPTON, Mr. LAMBORN, and I do, we often have these kinds of bills to address the interactions between our communities and our Federal lands in Colorado.

H.R. 698 is another bill that addresses public lands. I am proud to join Mr. TIPTON as a cosponsor of this bill. It will convey 148 acres of land to the Gordman-Leverich Partnership, a company in Colorado, which will remedy a land dispute between a private landowner and the Forest Service.

Way back in 1947, just a few years after my dear mother—who is watching us on C-SPAN as we speak—and my father were born, an administrative error occurred that shifted the boundary between the Elkhorn Ranch and the White River National Forest. This survey placed 148 acres of private land inside the forest boundary without providing consideration to the landholders. Since then, the title of the ranch has changed several times, but the administrative error has never been corrected.

We all know how we hold private property rights dear in this country, and this bill will correct the error, acknowledge the correct boundary of the Elkhorn Ranch, providing the current owner with a clear and free title rather than the encumbrance that the disputed nature of the land previously provided.

It will help avoid costly litigation to both sides, provides clarity for landowners and the Forest Service. It recognizes today's reality on the ground and it will help local officials in the Forest Service as well.

I thank my colleague, Mr. TIPTON, for his good work on this legislation, working with stakeholders. I want to point out that the Forest Service testified in support of this bill. I join my colleagues in urging its adoption.

Mr. Speaker, I reserve the balance of my time.

Mr. LAMBORN. Mr. Speaker, I appreciate those comments. I would point out, for anyone who is interested, that the three of us who are here—and I am about to yield the floor to Representative TIPTON—we are all on the Natural Resources Committee. This is a committee that is going to be doing a lot of exciting and interesting things in this Congress. We are going to be very busy. I am looking forward to that.

Mr. Speaker, I yield such time as he may consume to the gentleman from Colorado (Mr. TIPTON), my friend and colleague, who is also a member of the committee.

Mr. TIPTON. Mr. Speaker, I would like to extend my thanks to my colleagues, Mr. POLIS and Mr. LAMBORN. I think among our three congressional districts, we hold the vast majority of public lands in the State of Colorado. I appreciate the opportunity to be able to work with you on these significant bills, to be able to address many of the challenges that we have, and to be able to work together in a bipartisan manner as well.

Mr. Speaker, thank you for allowing me time to be able to discuss this important legislation. H.R. 698 is a very straightforward bill, which Congressmen LAMBORN and POLIS and I have reintroduced this year that confirms private ownership of 148 acres of land in my congressional district.

The lands concerned were patented into private ownership via the United States land patents issued in 1914, 1917, and 1957, but their ownership came into question by virtue of a 1949 government